

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: Mar 01 2024
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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13th day of December, two thousand twenty-three,

Before: José A. Cabranes,
Denny Chin,
Maria Araújo Kahn,
Circuit Judges.

E. Jean Carroll,

Plaintiff-Counter-Defendant-Appellee,

v.

Donald J. Trump, in his personal capacity,

Defendant-Counter-Claimant-Appellant.

JUDGMENT

Docket Nos. 23-1045(L),
23-1146(Con)

The appeal in the above captioned case from orders of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the July 5, 2023 order of the district court is AFFIRMED insofar as it rejected Defendant's presidential immunity defense and denied his request for leave to amend his answer to add presidential immunity as a defense; the district court's August 7, 2023 order is AFFIRMED insofar as it struck Defendant's presidential immunity defense from his answer to Plaintiff's amended complaint; the appeal of the district court's July 5, 2023 order is DISMISSED insofar as it determined that Defendant's statements about Plaintiff were defamatory per se; and the case is REMANDED to the district court for further proceedings consistent with this Court's opinion.

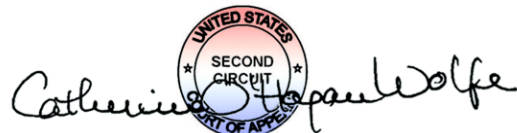

For the Court:
Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

MANDATE ISSUED ON 01/16/2024